

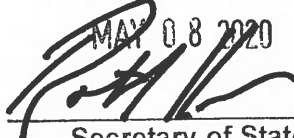


GOVERNOR GREG ABBOTT

May 8, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
7:55AM O'CLOCK

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

MAY 08 2020

Secretary of State

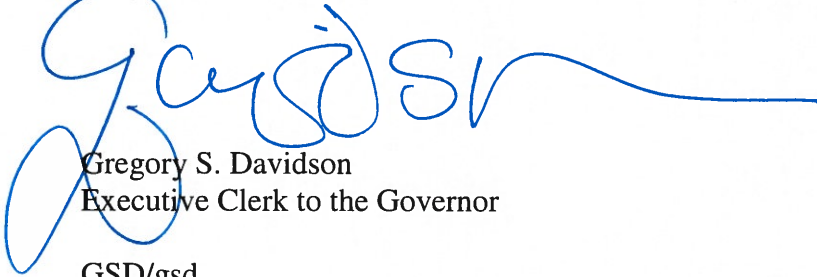
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation allowing the Midland County Hospital District to order a special election to occur on July 14, 2020, as an emergency election.

The original of this proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, on April 12, 2020, I issued a proclamation renewing the disaster declaration for all counties in Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code, and renewed that determination on April 17, 2020; and

WHEREAS, the Governor has issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, Section 41.001(a)(2) of the Texas Election Code provides that a general or special election in this state shall be held on a uniform election date, and the next uniform election date is occurring on May 2, 2020; and

WHEREAS, on March 18, 2020, the Governor suspended Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020; and

WHEREAS, on March 20, 2020, the Governor issued a proclamation postponing the runoff primary election date to July 14, 2020, in response to the COVID-19 disaster, and early voting by personal appearance for the runoff primary election begins on July 6, 2020, in accordance with Section 85.001(b) of the Texas Election Code; and

WHEREAS, Section 41.007(d) of the Texas Election Code provides that no other election may be held on the date of a primary election; and

WHEREAS, Section 41.008 of the Texas Election Code provides that an election held on a date not permitted is void; and

WHEREAS, Section 85.001(a) of the Texas Election Code provides that the period for early voting by personal appearance begins on the 17th day before election day and continues through the fourth day before election day; and

WHEREAS, Texas law provides that the Midland County Hospital District may hold an election on the question of whether to adopt, change the rate of, or abolish a program to sustain the district on a uniform election date as authorized by Section 41.001(a) of the Texas Election Code; and

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WHEREAS, the Midland County Hospital District ordered a special election on the question of whether to adopt a program to sustain the district, and such election was scheduled for May 2, 2020; and

WHEREAS, Section 41.0011 of the Texas Election Code provides that a special election may be held as an emergency election before the appropriate uniform election date if a political subdivision asks the Governor for permission to do so and the Governor determines that an emergency exists; and

WHEREAS, the Midland County Hospital District desires to order a special election as an emergency election on the question of whether to adopt a program to sustain the district pursuant to Section 41.0011 of the Texas Election Code because holding this election at a later date would result in dire consequences for the community, including threatening the district's ability to provide adequate health care to patients in response to the COVID-19 disaster; and

WHEREAS, the Midland County Hospital District has asked the Governor for permission to hold an election on the question of whether to adopt a program to sustain the district prior to November 3, 2020; and

WHEREAS, an emergency exists under Section 41.0011 of the Texas Election Code due to the circumstances presented by the COVID-19 disaster and because the Midland County Hospital District is not able to wait until November 3, 2020, to hold a special election to adopt a program to sustain the district; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster.

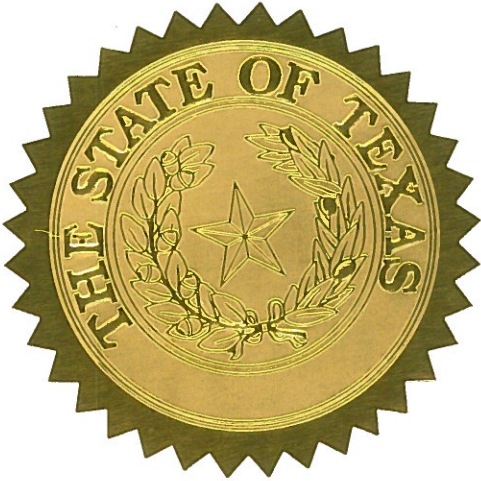
NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and laws of the State of Texas, do hereby suspend Sections 41.007(d) and 41.008 of the Texas Election Code to the extent necessary to allow the Midland County Hospital District to order its special election to occur on July 14, 2020, as an emergency election on the question of whether to adopt a program to sustain the district pursuant to Section 41.0011(b) of the Texas Election Code. I further suspend Section 85.001(a) of the Texas Election Code to the extent necessary to allow early voting by personal appearance for the special election to begin not earlier than Monday, July 6, 2020, and to run concurrently with the early voting period for the runoff primary election.

The authority ordering the election under Section 3.004 of the Texas Election Code is the authority authorized to make the decision to postpone its election in accordance with this proclamation.

Early voting by personal appearance shall begin on Monday, July 6, 2020, in accordance with Section 85.001(d) of the Texas Election Code so that it runs concurrently with the early voting period for the runoff primary election.

IN TESTIMONY WHEREOF, I
have hereto signed my name and

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have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 8th day of May, 2020.

A handwritten signature in black ink, reading "Greg Abbott", written over a horizontal line.

GREG ABBOTT
Governor of Texas

ATTESTED BY:

A handwritten signature in black ink, reading "Ruth R. Hughs", written over a horizontal line.

RUTH R. HUGHS
Secretary of State

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